

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402



Project Name: CHERRY PARK SUBDIVISION

Case Number: PLD2006-00056, SEP2006-00112

Location: 5510 NE 59th Avenue

Request: The applicant proposes a preliminary subdivision plat approval of 2 tax lots totaling approximately 2.28 acres into 23 residential lots in the R-18 Zoning District. The applicant proposes to build townhouses on the site

Applicant: Don McIntosh
1408 SE 132nd Avenue
Vancouver, WA 98683
(360) 260-0555; E-mail: Donal.mcintosh@comcast.net

Contact Person: Sturtevant, Golemo & Associates
Attn.: Eric Golemo
2005 Broadway
Vancouver, WA 98663
(360) 993-0911; E-mail: Cwolf@Sgengineering.com

Property Owners: Thomas and Jeanette Stout Advanced M & D Sales
5510 NE 59th Avenue 2335 N. 54th Street
Vancouver, WA 98661 Portland, OR 97227

RECOMMENDATION

Approve subject to the Conditions of approval

Team Leader's Initials: _____ **Date Issued:** July 28, 2006

Public Hearing Date: August 10, 2006

County Review Staff:

	<u>Name</u>	<u>Phone (360)</u> <u>397-2375, Ext</u>	<u>E-mail Address</u>
Planner:	Michael Uduk	4385	Michael.uduk@clark.wa.gov
Engineer (Trans. and Stormwater):	Dough Boheman, P. E.	4219	Doug.boheman@clark.wa.gov
Engineer (Trans. Concurrency):	Richard Gamble, P. E.	4354	Richard.gamble@clark.wa.gov
Team Leader:	Krys Ochia	4834	Krys.ochia@clark.wa.gov
Engineer Supervisor: (Trans. & Stormwater):	Sue Stepan, P. E.	4064	Sue.stepan@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency):	Steve Schulte, P. E.	4017	Steve.schulte@clark.wa.gov

Comp Plan Designation: Urban Medium Density Residential (UM)

Parcel Number(s): Tax Lot 153 (160854) and Tax Lot 26 (160709-052), located in the NW ¼ of Section 18, Township 2 North, Range 2 East of the Willamette Meridian.

Applicable Laws:

Clark County Code Chapter 40.350 (Transportation), 40.350.020 (Concurrency), 40.380 (Storm Water Drainage and Erosion Control), 15.12 (Fire Code), 40.570.080 (SEPA), 40.570.080 (C) (3) (k) (Historic & Cultural Preservation), 40.540.040 (Land Division Ordinance), 40.220.020 (Residential Districts, R-18), 40.610 (Impact Fees), 40.370.010 (D) (Sewer Connection), 40.370.020 (D) (Water Connection), 40.500 (Process), RCW 58.17 (State Land Division Laws)

Neighborhood Association/Contact:

West Hazel Dell Neighborhood Association
Ira Stanek, President
500 NW Wildwood
Vancouver, WA 98665
(360) 573-7376

Time Limits:

The application was determined to be fully complete on May 24, 2006 (see Exhibit No. 7). Therefore, the County Code requirement for issuing a decision within 92 days lapses on August 24, 2006. The State requirement for issuing a decision within 120 calendar days, lapses on September 19, 2006.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on February 9, 2005. The pre-application was determined to be contingently vested as of January 19, 2005 (i.e., the date the fully complete pre-application was submitted).

The application was submitted on May 10, 2006 and determined to be fully complete on May 24, 2006. Therefore, the vesting date for this application is January 19, 2005 (the date fully complete application was submitted). There are no disputes regarding vesting in this matter.

Public Notice:

Notice of application and public hearing was mailed to the applicant, property owners within 300 feet of the site and West Hazel Dell Neighborhood Association on June 5, 2006. One sign was posted on the subject property and two within the vicinity on July 26, 2006. Notice of the likely SEPA Determination and public hearing was published in "The Columbian" newspaper on June 5, 2006.

Public Comments:

The county received letters from the Larry Neal, Attorney at Law (Exhibit 11), and the State of Washington Department of Ecology (Exhibit 13).

Mr Neal's letter was written on behalf of Michael and Margaret Leonard, owners of Tax Lot 160848, who object to the inclusion of Tax Lot 160848 in the proposed Cherry Park Subdivision. In response to the objection, the applicant has revised the proposed plat and has also provided a revised narrative (Exhibit 12) indicating that the disputed parcel has been removed from the proposed development.

The letter from the Washington State Department of Ecology is advisory in nature. The letter indicates that the development site is not located near any known potentially contaminated site; but it also provide advice regarding appropriate procedures needed to contain potential contaminants, (e. g., asbestos) if discovered during site development.

Project Overview

The applicant is requesting a preliminary plat approval to subdivide approximately 2.28 acres into 23 residential lots in the R-18 zoning district. The development will occur in 2 phases. Lot 1 through Lot 17 will be developed in phase 1, and Lot 18 through Lot 23 will be developed in phase 2. Lot 20 has an existing single-family dwelling that will be retained.

The R-18 district permits several uses outright, conditionally and by planning director review and approval. The district also provides for a maximum density of 18 residential units and a minimum density of 12 residential units per acre. Single-family detached dwellings are subject to the review standards in CCC 40.520.020 (Review and Approval) and the applicable land division ordinance, CCC 40.540.040 (Subdivisions)

Table 1 shows the comprehensive plan designation, zoning, and current land use on the site and on the abutting properties:

Table 1: Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Urban Medium Density Residential (UM)	Residential District R-18	The development site comprises 2 tax lots. There is an existing single-family house that will be retained on the proposed Lot 20 and qualifies for impact fees credits. Existing vegetation on the site includes landscape trees and patches of field grass.
North	UM	R-18	Acreage home site.
East	UM	R-18	Axford Lane (311-194) and the proposed Kellams Subdivision (PLD2006-00014).
South	Urban Low (UL) / UM	R1-6 / R-18	Acreage home site and Park Terrace (310-722).
West	UL	R1-6	Summer Crossing and SP 2-345 and SP 2-347

The USDA Soil Conservation Service, Soil Survey of Clark County, Washington, 1972, classifies the soils at this site as those of Hillsboro loam (H1B and H1B) on slopes ranging from 3 to 15 percent. Maps from Clark County's GIS Mapping System do not indicate that the site contains wetlands and other known critical areas.

The property is located within the City of Vancouver's urban growth area (UGA). It is situated in an area served by Fire Protection District 5, Vancouver School District, Orchard Impact Fees District, and Parks Improvement District 7. The City of Vancouver provides potable water and sewer services in the area.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|-----------|---------------------|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |

- 5. Animals
- 6. Energy and Natural Resources
- 7. Environmental Health
- 8. Land and Shoreline Use

- 13. Historic and Cultural Preservation
- 14. Transportation
- 15. Public Services
- 16. Utilities

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1

The development site is approximately 2.28 acres situated on both sides of NE 56th Street and the terminus of NE 58th Court. The applicant is proposing a 23-lot single-family subdivision with a variety of lot areas.

If the development were to occur at the maximum density permitted by the R-18 zoning district, then the gross acreage (2.28 acres) could be divided into 41 lots; but, if the development were to occur at the minimum density, then the gross acreage could be divided into 27 lots. The applicant's narrative (Exhibit 12, Attachment) indicates that approximately 0.374 acres (or 16,303 square feet) will be dedicated as public right-of-way, and approximately 0.041 acres (or 2,041 square feet) will be dedicated for the required stormwater facility. The net acreage is approximately 1.865 acres that is being subdivided into 23 lots. Table 2 summarizes the density calculation as follows:

Table 2: ROW & Density Calculation - R-18

Acres (gross)	ROW (in acres)	Stormwater facility	Acres (net)	Density (net)	Density (proposed)
2.28	0.374	0.041	1.865	33 - 22	23

Staff finds that the proposed 23-lot subdivision complies with the applicable density requirements in the R-18 zone. This finding does not require a condition of approval.

Finding 2

The proposed development will connect the east and west sections of NE 56th Street thereby providing traffic circulation in the area. Additionally, the applicant proposes to provide landscape screening meeting the L1 standard along the perimeter of the development site.

The proposed single-family housing shall comply with the following development standards per Tables 40.220-2 & 3:

Table 3: Single-family development standards – R-18

1.	Minimum lot area	1,800 square feet
2.	Minimum lot width	25 feet
3.	Minimum lot depth	50 feet
4.	Front yard setback	20 feet
5.	Maximum building height	35 feet
6.	Street side yard setback	10 feet
7.	Setback between buildings	8 feet ²
8.	Rear yard setback	None ³
9.	Maximum lot coverage	50 percent

Staff finds that all lots as proposed, can comply with the applicable standard in the code (see Conditions A-1a).

Staff finds that the largest lot proposed in Cherry Park Subdivision is Lot 20, which has an area of 15,119 square feet and contains an existing single-family dwelling and the 2 smallest lots, Lot 3 and Lot 4, are each 2,044 square feet in area (see Exhibit 5, Sheet 1 of 4).

The applicant shall provide a scaled building envelope with dimensions and building footprint on each lot indicating the actual building setbacks and the location of the proposed building on the lot (see Condition A-1b)

Landscaping

Finding 3

The applicant shall the following landscaping and screening per CCC 40.520.020 (C):

- a. Provide a landscape plan prior to final plat recording and implement perimeter landscaping scheme meeting the L1 standard prior to occupancy permit issuance. The L1 standard requires one tree to be planted to the center per 30 linear feet interspersed with four to six shrubs (see Condition A-7a).
- b. Provide appropriate landscaping along the site's frontage on NE 56th Street and NE 58th Court, if required, prior to occupancy permit issuance (see Condition 7b).

Signs

Finding 4

Any proposed sign or signs for this subdivision shall comply with the applicable sections of the sign ordinance, CCC 40.310 (see Condition F-2).

² See Footnote 2 in Table 40.220.010-3 for additional information.

³ See Footnote 2 in Table 40.220.010-3 for additional information.

Conclusion (Land Use):

Staff finds that the proposed preliminary plan can comply with the applicable sections of the Code, subject to the conditions of approval identified in this report.

CRITICAL AREAS:

There are no known critical areas mapped on this property.

TRANSPORTATION:Pedestrian/Bicycle CirculationFinding 1

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act is required in accordance with the provisions of Section CCC 40.350.010. The development plans propose sidewalks along both the proposed onsite roads. Bike lanes are not required for local access roads. The required improvements along NE 56th Street, the proposed on-site North-South through road and for NE 58th Avenue, the on-site cul-de-sac just inside the south boundary will provide for pedestrian circulation along these roads. Based upon this information, staff finds that the proposed pedestrian/bicycle circulation complies with Section CCC 40.350.010.

Circulation PlanFinding 2

In compliance with Section CCC 40.350.030(B)(2), the circulation plan shall provide adequate cross-circulation for serving the proposed subdivision and allow future developments to meet the cross circulation standards. NE 58th Court, the North-south circulation was evaluated by the applicant and was not proposed due to the conflicts with merging with NE 59th Avenue, an existing private road North of this development. (see Transportation Finding 6) The proposed on-site road, NE 56th Street, will connect the two stubbed portions of NE 56th Street at both the westerly and easterly boundaries; thus, providing East-West circulation. Based upon this information, staff finds that the proposed circulation complies with Section CCC 40.350.030(B)(2).

On-site RoadsFinding 3

NW 58th Avenue, one of the proposed on-site roads, is classified as an urban cul-de-sac roadway. This roadway, as shown on the Preliminary Stormwater & Erosion Control Plan, is primarily just the bulb of the cul-de-sac. The said plan shows a 40 foot right-of-way radius along with a 35 foot curb radius. This is consistent with the counties requirements for a rolled curbed cul-de-sac. The sidewalks shall be thickened per the requirements of Clark County Drawing # 15.

NE 56th Street, is classified as an urban local residential access road. This roadway, as shown on the Preliminary Stormwater & Erosion Control Plan, is shown as a 46 foot right-of-way width along with a 28 foot curb to curb width. These dimensions are consistent with Clark County Drawing # 14 for urban local access road.

The private road serving proposed lots 22 through 30, as shown on the Preliminary Stormwater & Erosion Control Plan, shall be constructed per the requirements as stated in CCC 40.350.030(B)(10). The requirements include, but not limited to, pedestrian plan, minimum curb to curb width of 20 feet with no parking, and crowned roadway section (see Condition A-2a)

The joint use driveway, as shown on the Preliminary Stormwater & Erosion Control Plan, shall be constructed per the requirements as stated in CCC 40.350.030(B)(11).

Road Modifications

Finding 6

The applicant has submitted an application to request modification to the standards for to eliminate the requirement to extend NE 58th Avenue Stub through the site to provide North-South circulation.

If the development cannot comply with the Transportation Standards, modifications may be granted in accordance with the procedures and conditions set out in CCC 40.550. The request shall meet one (or more) of the following four specific criteria:

- a. *Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative, which can accomplish the same design purpose, is available.*
- b. *A minor change to a specification or standard is required to address a specific design or construction problem, which, if not enacted, will result in an unusual hardship.*
- c. *An alternative design is proposed which will provide a plan equal to or superior to these standards.*
- d. *Application of the standards of the Transportation Standards to the development would be grossly disproportional to the impacts created.*

Modification Request: The applicant is requesting a modification to eliminate the requirement to extend NE 58th Avenue Stub through the site to provide North-South circulation as required by CCC 40.350.030(B)(2). This request falls under Design Modification CCC 40.550.010(B)(2)(h) for Access Policy. Private Road NE 59th to the North of the site provides many restrictions. The parcels to the East of the road are developed and the parcels to the West of the road are not large enough to afford a full width road. In addition, the sharp angles along this substandard road would create unsafe conditions for additional traffic along this road due to deficient sight distance. Furthermore, the intersection of NE 59th Street with NE 58th Street would not meet intersection spacing standards.

This application falls under Approval Criteria (a) as shown above. The connection of the two road stubs of NE 56th Street East and West of the site will provide new East-West cross circulation. NE 58th Place will become NE 58th Circle providing adequate access and turnaround spacing for the proposed development. The Cherry Park Subdivision is providing increased access and circulation to the surrounding area.

Staffs Evaluation: Staff concurs that improving NE 59th Street (a private street) to the north of NE 56th Street as a full-width public road does not appear to be feasible because the parcels to the east of the road are developed and the parcels to the west, already having frontage on NE 58th Court, are not large enough to afford a full-width road on the west side. In addition, the sharp angles along this substandard road would create unsafe conditions for additional traffic along this road due to deficient sight distance. Furthermore, the intersection on NE 59th Street with NE 58th Street would not

meet the intersection spacing standard. This recommendation is based on an e-mail from Engineering Services Team Leader Ali Safayi, dated February 22, 2006.

Recommendations: Based upon the above findings, the above request to the standards for to eliminate the requirement to extend NE 58th Avenue Stub through the site to provide North-South circulation meets the criteria described in subsection CCC 40.550.010(A)(1)(a), therefore, staff recommends Approval of this modification request (see Exhibit 15).

Road Modification

Based upon the above findings, staff finds that one of the four road modification approval criteria is met; therefore, the proposed road modification meets the requirements of the county transportation ordinance.

Conclusion (Transportation):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

TRANSPORTATION CONCURRENCY:

Trip Generation

Finding 1:

County concurrency staff has reviewed the proposed Cherry Park Subdivision consisting of 30 single family home units with one existing single family home to remain on the site. The applicant's traffic study has estimated the net weekday AM peak-hour trip generation at 22 new trips, while the net PM peak-hour trip generation is estimated at 29 new trips using nationally accepted data published by the Institute of Transportation Engineers. The site is located at 5510 NE 59th Avenue.

Site Access

Finding 2:

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards is not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site. All of the site access intersections analyzed in the applicant's traffic study will have an estimated LOS B or better during the peak traffic hours at the future build-out of the proposed development.

Concurrency

Finding 3:

The applicant submitted a traffic study for this proposal in accordance with CCC 40.350.020(B). The proposed development is required to meet the standards established

in CCC 41.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development. The County's Traffix™ model includes many of the intersections of regional significance in the area and the County's model, along with the applicant's traffic study, was used to evaluate concurrency compliance. The modeling results and applicant's traffic study indicate that the operating levels comply with travel speed and delay standards.

The County incurs costs to analyze the proposed development's impacts; therefore, the applicant should reimburse the County for costs incurred in running the concurrency model. (See Transportation Concurrency Condition A-4a)

SAFETY

Where applicable, a traffic study shall address the following safety issues:

- Traffic signal warrant analysis,
- Turn lane warrant analysis,
- Accident analysis, and
- Any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Traffic Signal Warrants

Finding 4:

The applicant's traffic study did not analyze traffic signal warrants due to a LOS C or better at all of the intersections analyzed in the applicant's traffic study. County staff concurs with this conclusion and find that the relatively low traffic volume on the intersections analyzed in the applicant's traffic study would not meet signal warrants.

Turn Lane Warrants

Finding 5:

Turn lane warrants are evaluated at un-signalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway. Turn lanes can be needed to address capacity and safety deficiencies. References to turn lane warrants are applicable to safety.

The applicant's traffic study preliminarily analyzed turn lane warrants in the vicinity of the site and stated that left and right turn lanes were not warranted at any of the intersections analyzed in the traffic study (page 4 of the traffic study). However, Appendix D in the applicant's traffic study shows that a northbound right turn lane is warranted at the intersection of NE 40th Street and NE 54th Avenue per Figure 910-12 of the WSDOT Design Manual.

In further documentation by the applicant, the traffic study simply makes an argument that a right turn lane is “not recommended as based on 910.07(2) in the text”. This text is a reference to the WSDOT design manual, which is quite lengthy and county staff are unsure about which argument the traffic study is attempting to reference to justify not installing the right turn lane. County staff’s review of the same text does not lead county staff to the same conclusion as the applicant’s traffic study, specifically that the turn lane not be installed.

County staff’s review finds that a northbound right turn lane is warranted at the intersection of NE 40th Street and NE 54th Avenue. However, the question is whether the proposed development can be required to provide this right turn lane per county code section 40.350.030B6.

This intersection is located about ¾ of a mile away from the proposed development. The proposed development will send 10 trips on the north-south movements of this intersection during the pm peak hour per Figure 7b of the traffic study. The future 2009 estimated movements along NE 54th Avenue are 613 pm trips per Figure 5b of the traffic study. Therefore, the proposed development will have roughly a 1-2% increase in trips at this intersection. Therefore, due to the small impact from the proposed development, county staff finds that the trips from the proposed development would not cause a significant safety hazard at this intersection.

In addition, the accident rate at this intersection is 0.48 accidents per million entering vehicles, which is well within acceptable collision thresholds. In addition, none of the accidents at this intersection over the last 3 years were due to rear end collisions. This indicates that the conflict between the right turning vehicles, which are slowing to turn, and the through-movement vehicles has not resulted in a significant safety hazard. Therefore, an existing significant safety hazard does not exist.

Therefore, county staff find that although turn lane warrants are met for a northbound right turn lane at the intersection of NE 40th Street and NE 54th Avenue, the proposed development does not cause a significant hazard at this. Therefore, mitigation should not be required from the proposed development to add a northbound right turn at this intersection.

Historical Accident Situation

Finding 6:

The applicant’s traffic study analyzed the accident history at the intersections in the vicinity of the site. The historical accident rate at these locations does not exceed thresholds that would warrant additional analysis.

Sight Distance

Finding 7:

Sight distance at the site access is addressed by Community Development; therefore, this issue will not be addressed here.

Conclusion

Based upon the development site characteristics, the proposed transportation plan, the requirements of the County’s transportation concurrency ordinance, and the findings

above, staff concludes that the proposed preliminary transportation plan meets the requirements of the county transportation concurrency ordinance CCC 40.350.020.

STORMWATER:

Finding 1

Stormwater and Erosion Control Ordinance CCC 40.380 applies to development activities that results in 2,000 square feet or more of new impervious area within the urban area; the platting of single-family residential subdivisions in an urban area; and all land disturbing activities, except those exempted in Section CCC 40.380.030(A).

The project will create more than 2000 square feet of new impervious surface, involves platting of single-family residential subdivision, and it is a land disturbing activity not exempted in Section CCC 40.380.030(A). Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance, CCC 40.380.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the erosion control ordinance.

Stormwater Proposal:

Finding 2

The project's preliminary stormwater report proposes to achieve the required stormwater within the proposed two manholes by Contech Stormwater Solution (formally Stormwater360). One Contech manhole will be located near within the proposed 56th Street and the other one will be located within the 58th Court cul-de-sac bulb. The proposed water quality facility will be designed to treat 70% of the 2-year, 24-hour storms, as required (see Condition A-5a).

The report indicates that the stormwater quantity control will be achieved by an underground infiltration system comprised of perforated storm drain pipe. The applicant proposed to infiltrate the full 100 year occurring, 24 hour duration storm event. The Preliminary Stormwater & Erosion Control Plan shows a portion of the perforated pipe system located in the back yards of the proposed lots 1 through 17 and within the private road serving the proposed lots 22 through 30. This portion of perforated storm drain pipe serves the individual private lots and should be considered to be private system. The proposed public portion of the storm drain system is located within the easterly portion of the proposed NE 56th Street, within a proposed Storm Tract located between the proposed lots 14 and 15, and within the joint access driveway serving lots 19 through 20. The proposed roof drains shall be separate systems from the public right-of-way system. Roof drain overflows may be accomplished by installing area drains down gradient from where the foundation drains and roof drains meet. If area drains are used for overflow these private roof drains shall discharge to surface grades that are graded such that the grades will not adversely impact existing surrounding or on-site future properties (see Conditions A-5b & A-5c).

The applicant shall provide a down stream analysis in accordance with CCC 40.380.040(B)(2) for the existing system for which the proposed onsite storm system's overflow will tie into (see Condition A-5d).

The applicant proposes that the stormwater mitigation system and conveyance will be publicly owned and publicly maintained. The proposed roof drain systems shown located within the backyards of the proposed lots shall be privately owned and privately maintained (see Condition A.5e)

Site Conditions and Stormwater Issues

Finding 3

The property is 2.62 acres in area with slopes of 0-5% over 52% of the parcel, 5-10% over 36% of the parcel, and 10-15% over 12% of the parcel. The property has an existing house, associated detached outbuildings with a large, grassy, yard and wooded area. The existing outbuildings and portions of the wooded area will to be removed as part of this development. The preliminary stormwater report indicates that the proposed total area of new impervious surface consisting of roofs, driveways, and streets will be approximately 1.74 acres.

The National Resources conservation service (NRCS) mapping shows the site to be underlain by Hillsboro loam (HIB & HIC), classified by AASHTO as A-4 soils. These soils are designated as hydrologic group "B". CCC 40.380 does not list A-4 soils as suitable for infiltration; therefore, disposal of stormwater runoff by infiltration is not proposed.

Infiltration (public system)

Finding 4

The project proposes to utilize infiltration as a method of stormwater quantity control. According to the Stormwater & Erosion Control Ordinance (CCC 40.380), infiltration of 100-year storm event is the preferred method for stormwater disposal from the developed site. Natural Resource Conservation Service mapping shows the site to be underlain by Hillsboro loam (HIB & HIC), designated as A-4 soils for the depths of 0 to 36 inches below the ground surface in accordance with AASHTO classification. Hillsboro soils are designated as hydrologic group "B". Stormwater and Erosion Control Ordinance (CCC 40.380), list A-2-4 and A-2-5 soils as suitable for infiltration.

The applicant has submitted an Geotechnical Site Investigation containing infiltration testing performed by Columbia West Engineering, Inc., dated October 7, 2005. The subsurface exploration consisting of four test pit was conducted on September 9, 2005. The Infiltration Test numbers TP-01, TP-02, TP-03 and TP-04 are described in the submitted Geotechnical Site Investigation, Exhibit 6. Three infiltration tests (TP-01, TP-02, and TP-03) were conducted within test pits at depths of 10 to 13 feet in sandy soils at selected locations. Test results are summarized below. Laboratory tests performed included grain distribution analyses and AASHTO Specification M145 soil classification as required per stormwater ordinance. In accordance with the provisions of CCC 40.380.40(C)(3)(a), soils classified as A-1-a, A-1-b, A-2-4, A-2-5, and A-3 as defined in AASHTO Specification M145 are suitable for infiltration.

The test data, which include onsite observed infiltration rates, are summarized in the following table:

Date	Test Pit	Depth (feet)	AASHTO Soil Classification	Passing No. 200 Sieve	Infiltration Rate (inches/hour) Groundwater Info
------	----------	--------------	----------------------------	-----------------------	---

9/9/05	TP-01	10	A-3(0)	5.5	10 Groundwater was not observed
9/9/05	TP-02	10	A-3(0)	9.5	10 Groundwater was not observed
9/9/05	TP-03	10	A-2-4(0)	19.8	10 Groundwater was not observed

Feasibility of infiltration as a method of stormwater disposal

Finding 5

In accordance with CCC 40.380.040(C)(3), the measured infiltration rate shall be equal to or greater than eight (8) inches per hour. The design of the infiltration systems using a minimum factor of safety of two (2) should be based on one-half of the lowest test rate. However, due to the concerns regarding variations in permeability of soils and groundwater elevation, a higher factor of safety may be required. The Preliminary Stormwater Report by Sturtevant Golemo & Associates proposes a design of the infiltration facility for 2 inches/hour. This equates to a safety factor of 4. Design Infiltration rates and factor of safety are important criteria in sizing infiltration systems to ensure desired performance in these types of soils during the wet-weather season when the infiltration facilities are expected to perform at full capacity.

The proposed infiltration facility includes an emergency overflow for the case the infiltration system fails to function as designed. If the proposed infiltration facility fails to function as designed, the proposed overflow will protect existing homes and downstream properties from substantial impacts due to flooding.

Staff is concerned that during grading activities, the native soil layers may be disturbed to the extent that design infiltration rates could not be achieved (see Condition C-2).

Sacrificial System

Finding 6

Because the proposed stormwater runoff disposal is by infiltration, it is important to ensure that no soil or contaminated materials inadvertently enter the storm drain collection system until site construction is complete and exposed soil surfaces are stabilized. In order to protect the infiltration facilities from plugging during the construction of the subdivision and homes within the proposed lots, all runoff shall be conveyed to an onsite sacrificial system or be contained by other approved methods until such time when the County inspection staff determines that the potential for plugging the infiltration system is minimized to the extent possible (see Condition F-2a).

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION:

Fire Marshal Review

Finding 1

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375, extension 4095 or 3323. Information can be faxed to Tom

at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Building Construction

Finding 2

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process (see Condition E-2).

Fire Flow

Finding 3

Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch (psi) for 60 minutes duration is required for this application. The information from the water purveyor indicates that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to commencement of combustible building construction (see Conditions A-8a).

Fire Hydrants

Finding 4

Fire hydrants are required for this application. The indicated number and spacing of new and existing fire hydrants (on the preliminary plat) are adequate.

Finding 5

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact the Vancouver Fire Department at 360-696-8166 to arrange for location approval. A 3-foot clear space shall be maintained around the circumference of all fire hydrants (see Condition A-8b).

Fire Apparatus Access

Finding 6

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus (See Condition A-8c).

Finding 7

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Therefore, no condition is necessary with this finding.

Fire Apparatus Turnaround

Finding 8

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate. Therefore, no condition is necessary with this finding.

HEALTH DEPARTMENT REVIEW:

Finding 1

The City of Vancouver provides potable water and sewer services in the area. A utility review from the city (Exhibit 6, tab O) indicates that the required fire flow is available to serve this development. The applicant shall make the necessary improvements to connect the development to public water and sewer services provided by the City of Vancouver (see Condition E-3).

Finding 2

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department. (See Condition A-9)

Other Health Concerns

Finding 3

All demolition wastes must be properly disposed consistent with county demolition permit requirements. The applicant shall provide proof of appropriate waste disposal in the form of receipts to the Health Department with requests for confirmation that the conditions for final plat approval have been satisfied (see Condition D-3a)

If underground storage tanks exist on the property, they must be identified and decommissioned in place consistent with the Uniform Fire Code under permit from the Fire Marshal. Any leaks or contamination must be reported to Washington State Department of Ecology, and proof of removal or abandonment (of the tank) must be submitted to the Health Department prior to final plat recording (see Condition D-3b)

IMPACT FEES:

Finding 1

The site is located in Park Impact Fee (PIF) District 7, Vancouver School District Impact Fee (SIF), and Orchards Traffic Impact Fee (TIF) district. There is 1 single-family house to be retained on Lot 20, which qualifies for impact fees credit. Therefore, park, school, and traffic impact fees shall be assessed on 22 of the proposed 23 new single-family dwellings.

The following note shall be placed on the final plat stating that:

"In accordance with CCC 40.610, except for Lot 20 that is granted impact fees credits, the park, school, and traffic impact fees for each of the 22 of the 23 single-family dwellings in this subdivision are:

Impact Fee District	Single-Family Detached dwelling
1. Parks Improvement District 7	\$1,885.00 (\$1,445.00 acquisition fee and \$440.00 development fee) per new single-family dwelling
2. Vancouver School District	\$1,725.00 per new single-family dwelling.
3. Orchards TIF District	\$1,439.81 per new single-family dwelling.

“The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedules.” (See Condition D-4e and E-4)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (DNS): Clark County, as lead agency for review of this proposal, has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (e). This decision was made after review of a completed environmental checklist and other information on file with the County.

Date of Publication & Comment Period:

The publication date of this (likely) DNS was June 5, 2006, and was issued under WAC 197-11-340. The lead agency did not act on this proposal until the close of the 14-day comment period, which ended on June 19, 2006.

Public Comment Expired on:

June 19, 2006

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$186**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Michael Uduk, (360) 397-2375, ext. 4385
Krys Ochia, (360) 397-2375, ext. 4834

Responsible Official: Michael V. Butts

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810**

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit 5), and the findings and conclusions stated above, staff recommends the Hearings Examiner **APPROVE** this request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A Final Construction/Site Plan Review **Review & Approval Authority: Development Engineering**

Prior to construction, a Final Construction/Site Plan shall be submitted for review and approved, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Land Use

- a. Each single-family detached lot shall comply with the development standards in Tables 40.220.020-2 & 3 as follows:

1.	Minimum lot area	1,800 square feet
2.	Minimum lot width	25 feet
3.	Minimum lot depth	50 feet
4.	Front yard setback	20 feet
5.	Maximum building height	35 feet
6.	Street side yard setback	10 feet
7.	Setback between buildings	8 feet ⁵
8.	Rear yard setback	None ⁶
9.	Maximum lot coverage	50 percent

(See Land Use Finding 2)

- b. The applicant shall provide a scaled building envelope with dimensions and building footprint on each lot indicating the actual building setbacks and the location of the proposed building on the lot (see Land Use Finding 2).

A-2 Final Transportation Plan/On-Site

The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The private road requirements shall be per the requirements of as stated in CCC 40.350.030(B)(10) and any other applicable county codes, including, but

⁵ See Footnote 2 in Table 40.220.010-3 for additional information.

⁶ See Footnote 2 in Table 40.220.010-3 for additional information.

not be limited to, pedestrian plan, minimum curb to curb width of 20 feet with no parking, and a crowned road section. (See Transportation Finding 3)

A-3 Transportation

- a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval. (Standard Condition)
- b. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system. (Standard Condition)

A-4 Final Transportation Plan/Off Site (Concurrency)

The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall reimburse the County for the cost of concurrency modeling incurred in determining the impact of the proposed development, in an amount not to exceed \$1,500. The reimbursement shall be made prior to final site plan review (see Transportation Concurrency Finding 3).

A-5 Final Stormwater Plan

The applicant shall submit and obtain County approval of a final stormwater plan for on and off-site facilities (as applicable), designed in conformance to CCC 40.380 and the following conditions of approval:

- a. The proposed stormwater quality mitigation facility shall be designed to treat 70% of the 2-year, 24-hour storms, as required (see Stormwater Finding 2).
- b. The proposed stormwater quality mitigation facility shall be designed to treat 70% of the 2-year, 24-hour storms, as required (see Stormwater Finding 2).
- c. The applicant shall be required to perform an offsite analysis extending a minimum of one-fourth of a mile downstream from the development in accordance with CCC 40.380.040 (B)(2) (see Stormwater Finding 2).
- d. The proposed roof drains shall be separate systems from the public right-of-way system. Roof drain overflows may be accomplished by installing area drains down gradient from where the foundation drains and roof drains meet. If area drains are used for overflow these private roof drains shall discharge to surface grades that are graded such that the grades will not adversely impact existing surrounding or on-site future properties (see Stormwater Finding 2).

- e. This project shall be required to perform an offsite analysis extending a minimum of one-fourth of a mile downstream from the development (see Stormwater Finding 3).

A-6 Erosion Control Plan

The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

A-7 Final Landscape Plan

The applicant shall submit and obtain county approval of final landscape plan designed in accordance with CCC 40.320, and the following conditions of approval:

Per CCC 40.260.230 (C), the applicant shall:

- a. Provide a landscape plan prior to final plat recording and implement perimeter landscaping scheme meeting the L1 standard prior to occupancy permit issuance. The L1 standard requires one tree to be planted to the center per 30 linear feet interspersed with four to six shrubs (see Land Use Finding 3 and Condition F-3)
- b. Provide appropriate landscaping along the site's frontage on NE 56th Street and NE 58th Court, if required, prior to occupancy permit issuance (see Land Use Finding 3 and Condition F3).

A-8 Fire Marshal Requirements

- a. Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch (psi) for 60 minutes duration is required for this application. The information from the water purveyor indicates that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to commencement of combustible building construction (see Fire Protection Finding 3).
- b. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact the Fire District 6 at 360-576-1195 to arrange for location approval. A 3-foot clear space shall be maintained around the circumference of all fire hydrants (see Fire Protection Finding 5).
- c. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus (see Fire Protection Finding 6).

A-9 Health Department Review

Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter

will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department (see Health Department Finding 2).

A-10 Other Documents Required

The following documents shall be submitted with the Final Construction/Site Plan:

a. Developer's Covenant:

A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.0. (Standard Condition)

A-11 Excavation and Grading

Excavation/grading shall be performed in compliance with Appendix Chapter J of the 2003 International Building Code (IBC); and, drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252. (Standard Condition)

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
----------	---

Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County; and,

- a.** Prior to construction, fire flow in the amount of 1,000 gallons per minute (gpm) supplied at 20 pounds per square inch (psi) for 60 minutes duration. The required fire flow is available at the site (see Fire Protection Finding 3).

B-2 Erosion Control

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration

systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control

Erosion control facilities shall not be removed without County approval.

C	Provisional Acceptance of Development Review & Approval Authority: Development Inspection
----------	--

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Land Use

(See Condition A-1a through A-1b and Condition A-7a and 7b)

C-2 Transportation (Concurrency)

None

C-3 Stormwater

The installation of infiltration system shall be observed and documented by a licensed engineer in the State of Washington proficient in geotechnical engineering. During the construction, the geotechnical engineer shall verify that the infiltration rate used in the final stormwater analysis is obtained at the exact location and depth of the proposed stormwater infiltration facility. The infiltration investigation shall include laboratory analysis based on AASHTO Specification M145. The timing of representative infiltration tests will be determined at the pre-construction conference (see Stormwater Finding 5)

C-4 Fire Marshal Requirements

The applicant shall comply with all the applicable requirements of the Fire Marshal consistent with the International Building and Fire Codes

D	Final Plat Review & Recording Review & Approval Authority: Development Engineering
----------	---

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Land Use

(See Condition A-1a through A-1b and Condition A-7a and 7b)

D-2 Fire Marshal Requirements

(See Conditions A-8a and A-8b)

D-3 Health Department Signature Requirement

a. All demolition wastes must be properly disposed consistent with county demolition permit requirements. The applicant shall provide proof of appropriate waste disposal in the form of receipts to the Health Department with requests for confirmation that the conditions for final plat approval have been satisfied.

- b. The location of underground storage tanks must be identified on the final plat and decommissioned in place consistent with the Uniform Fire Code under permit from the Fire Marshal. Any leaks or contamination must be reported to Washington State Department of Ecology, and proof of removal or abandonment (of the tank) must be submitted to the Health Department prior to final plat recording.

D-4 Developer Covenant

A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

- a. Critical Aquifer Recharge Areas

"The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater/drinking supply protection."

- b. Erosion Control

"Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

- c. Responsibility for Stormwater Facility Maintenance

"For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060."

- d. Archaeological

"If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

e. Impact Fees

"In accordance with CCC 40.610, except for Lots 20 that is waived, the School, Park and Traffic Impact Fees for 22 of the proposed 23 lots proposed in this subdivision are:

Impact Fee District	Single-Family detached dwelling
1. Parks Improvement District 7	\$1,885.00 (\$1,445.00 acquisition fee and \$440.00 development fee) single-family dwelling unit.
2. Vancouver School District	\$1,725.00 per single-family dwelling unit.
3. Orchards TIF District	\$1,439.81 per single-family dwelling unit.

The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-5 Addressing

At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

D-6 Plat Notes

The following notes shall be placed on the final plat:

- a. "Each townhouse (or single-family attached) lot shall comply with the development standards in Table 40.260.230-1 as follows:

1.	Minimum lot area	1,800 square feet
2.	Minimum lot width	25 feet
3.	Minimum lot depth	50 feet
4.	Front yard setback	20 feet
5.	Maximum building height	35 feet
6.	Street side yard setback	10 feet
7.	Setback between buildings	8 feet ⁷
8.	Rear yard setback	None ⁸
9.	Maximum lot coverage	50 percent

(See Land Use Finding 2)"

c. Mobile Homes:

"Mobile homes are permitted on all lots subject to the requirements of CCC 40.260.130."

⁷ See Footnote 2 in Table 40.220.010-3 for additional information.

⁸ See Footnote 2 in Table 40.220.010-3 for additional information.

d. Sidewalks:

"Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."

e. Utilities:

"An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

f. "All residential driveway approaches entering public roads are required to comply with CCC 40.350."

E	Building Permits Review & Approval Authority: Customer Service
----------	---

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Land Use

Each lot proposed in this subdivision shall comply with the development requirements in Tables 40.220.020-2 & 3 regarding building setback, average minimum lot width, average minimum lot depth, lot area, lot coverage and building height (see Land Use Finding 2).

E-2 Fire Marshal Requirements

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process (see Fire Protection Finding 2).

E-3 Health Department Review

The applicant shall provide all the improvement necessary to connect each lot to public water and sewer provided by Clark Public Utilities and Clark Regional Wastewater District, respectively.

E-4 Impact Fees

"In accordance with CCC 40.610, except for Lots 20 that is waived, the School, Park and Traffic Impact Fees for 22 of the proposed 23 lots proposed in this subdivision are:

Impact Fee District	Single-Family detached dwelling
1. Parks Improvement District 7	\$1,885.00 (\$1,445.00 acquisition fee and \$440.00 development fee) single-family dwelling unit.
2. Vancouver School District	\$1,725.00 per single-family dwelling unit.
3. Orchards TIF District	\$1,439.81 per single-family dwelling unit.

The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

F	Occupancy Permits Review & Approval Authority: Building
----------	--

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Land Use - Sign

Any proposed sign or signs for this subdivision shall comply with the applicable sections of the sign ordinance, CCC 40.310 (see Land Use Finding 5).

F-2 Stormwater

- a. All runoff from the site shall be conveyed to an onsite sacrificial system, a temporary sedimentation basin, or be contained by other approved methods until such time when the County inspection staff determines that the potential for plugging the infiltration system is minimized to the extent possible (see Stormwater Finding 8)

F-3 Landscaping

Prior to the issuance of an approval of occupancy for a site plan, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site. (Standard Condition)

G	Development Review Timelines Review & Approval Authority: None - Advisory to Applicant
----------	---

G-1 Land Division

Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

<p><u>Note:</u> Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a hearing extension and pay half the original review fee with a maximum fee of \$5,000.</p>

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Board of County Commissioners only by a party of record. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

Appeal Filing Deadline:

The appeal shall be filed with the Board of County Commissioners, Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- Per CCC 40.520.020 (C) The appeal fee of **\$266**.

The fee shall be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

The Board of Commissioners shall hear appeals of decisions based upon the written record before the examiners, the examiner's decision, and any written comments received in the office of the Board within the following submittal deadlines measured from the date of the filing of the appeal:

- Fourteen (14) calendar days for the appellant's initial comments;
- Twenty-eight (28) calendar days for all responding comments; and,
- Thirty-five (35) calendar days for appellant reply comments, which are limited to the issues in the respondent's comments.

Written comments shall be limited to arguments asserting error in or support of the examiner decision based upon the evidence presented to the examiner.

Unless otherwise determined by the Board for a specific appeal, the Board shall consider appeals once a month, on a reoccurring day of each month. The day of the month on which appeals are considered shall be consistent from month to month as determined by Board.

The Board may either decide the appeal at the designated meeting or continue the matter to a limited hearing for receipt of oral argument. If continued, the Board of Commissioners shall designate the parties or their representatives to present argument, and permissible length thereof, in a manner calculated to afford a fair hearing of the issues specified by the Board of Commissioners. At the conclusion of its public meeting or limited hearing for receipt of oral legal argument, the Board of Commissioners may affirm, reverse, modify or remand an appealed decision.

Attachments:

- Copy of Vicinity Map
- Copy of Proposed Preliminary Plan
- Exhibit List

The fee shall be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

For Staff Only:

Final Plans Required with Construction Plans	YES	NO
Final Site Plan	✓	
Final Landscape Plan:	✓	
-On-site landscape plan	✓	
-Right-of-way landscape plan*		

Final Wetland Plan		
Final Habitat Plan		

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.